Dec. #4541

5A

MEMORANDUM JANUARY 24, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: STEPHEN COYLE, DIRECTOR

SUBJECT: CHARLESTOWN URBAN RENEWAL AREA
CONFIRMATORY ORDER OF TAKING
DISPOSITION PARCEL P-12B

On December 20, 1984, the Authority approved and adopted a Report and Decision on the 121A Application of City Square Elderly Housing, Inc., and on the same date finally designated City Square Elderly Housing, Inc., Redeveloper of Parcel P-12B, to build 120 units for elderly and handicapped persons at the St. Mary's School site located at Warren, Winthrop and Park Streets, containing 20,588 square feet in Charlestown.

It is desired to make an Order of Taking of the above parcel in order to ensure that the Authority holds and can convey good title, unencumbered by any claim which might otherwise be asserted against the property.

This Order of Taking is requested for title perfection purposes only and does not involve the acquisition of any additional land or the award of any additional damages.

I, therefore, recommend that the Authority adopt the appropriate Order of Taking regarding the above parcel P-12B in the Charlestown Urban Renewal Area.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated JAN 24 1985 relating to portions of the CHARLESTOWN URBAN RENEWAL AREA, MASS. R-55, be executed together with a plan entitled, "Boston Redevelopment Authority, Charlestown Urban Renewal Area, Project No. Mass. R-55, Boston, Suffolk County, Massachusetts, Delivery Parcel Plan, Parcel P-12B, dated January 22, 1985," and made a permanent part of these proceedings, copies of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty
William A. McDermott, Jr.
Clarence J. Jones

A true copy

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Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8069, page 113, an ORDER OF TAKING, dated September 15, 1966, concerning and describing the CHARLESTOWN URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant thereto, including any trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any

and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED:

JAN 24 1985

BOSTON REDEVELOPMENT AUTHORITY
By:

ATTEST:

Secretary of the Boston Redevelopment Authority

Approved as to Form:

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

CHARLESTOWN URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is to be taken by this Order of Taking:

Boston Redevelopment Authority Disposition Parcel P-12B, containing approximately 20,588 square feet of land, as shown on a plan entitled, "Boston Redevelopment Authority, Charlestown Urban Renewal Area, Project No. Mass. R-55, Boston, Suffolk County, Massachusetts, Delivery Parcel Plan, Parcel P-12B, dated January 22, 1985," prepared by R. E. Cameron Associates, Inc., Norwood, Mass., which Plan is recorded herewith, and bounded and described as follows:

Beginning at a point on the northerly sideline of Warren Street at a point at the end of a curve marking the intersection with Park Street;

thence N41°-57'-39"W, a distance of nine and fifty-six hundredths (9.56') and one hundred twenty and seven hundredths (120.7') feet by Warren Street;

thence N48°-20'-34"E, a distance of one hundred fifty-one and six hundredths (151.06') feet by land of the Roman Catholic Archbishop of Boston;

thence N37°-02'-32"W, a distance of twenty-seven and forty hundredths (27.40') again by land of the Roman Catholic Archbishop of Boston;

thence N51°-01-28"E, a distance of ten and fifty-four hundredths (10.54') by land of Kennedy Center, Inc., and Vito L. Lenzo;

thence S41°-46'-41"E, a distance of fifty-nine and thirty-six hundredths (59.36') feet by a passageway and more land of the Roman Catholic Archbishop of Boston and land of Richard P. and Pauline I. Charbonnier;

thence S46°-04'-44"W, a distance of three and twelve hundredths (3.12') feet by land of said Charbonnier;

thence S29°-10-12E, 5.47 feet again by land of said Charbonnier;

thence S61°-57'-14"E, a distance of seventeen and forty-nine hundredths (17.49'), feet, again by land of said Charbonnier;

S28°-02'-46"W, a distance of twenty and no hundredths (20.00') feet again by land of Charbonnier;

S61°-57'-14"E, a distance of forty and no hundredths (40.00') feet again by land of said Charbonnier:

thence S28°-02'-46"W, a distance of fifty-nine and eighteen hundredths (59.18') and eighty-three and sixty hundredths (83.60') feet by the westerly sideline of Park Street;

thence along a curve to the right having a radius of 19.45 feet, 37.34 feet said curve marking the intersection of Park Street and Warren Street; to the point of beginning.

Said parcel containing an area of approximately twenty thousand five hundred eighty-eight (20,588') square feet, more or less.

Included within said parcel are certain portions of registered land as described in the following Certificates of Title: 77444 - LC 4402[A]; 76984 - LC 23983[B] and 82876 - LC 23983[B].

The owner of the parcel of land hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

CHARLESTOWN URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.